

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHERYL RUBIN AS EXECUTRIX OF THE
ESTATE OF ESTELLE RUBIN,

Plaintiff,

23 cv 8719 (PKC)

-against-

ORDER

BANKERS STANDARD INSURANCE CO.,

Defendants.

-----x

CASTEL, District Judge:

Roman Rabinovich (the “Attorney”) has moved to withdraw as counsel for plaintiff Cheryl Rubin as Executrix of the Estate of Estelle Rubin (the “Client”) on the ground that he has irreconcilable differences as to the manner of proceeding in this action. The Client was served the motion to withdraw but has not responded. The Court will grant the Attorney’s motion to withdraw as attorney of record for the Client.

**CHERYL RUBIN AS EXECUTRIX OF THE ESTATE OF ESTELLE RUBIN
IS ADVISED THAT AN ADMINISTRATOR OR EXECUTRIX OF AN ESTATE MAY NOT
ORDINARILY PROCEED EXCEPT THROUGH AN ATTORNEY ADMITTED TO
PRACTICE IN THIS COURT.¹ CHERYL RUBIN IS ADVISED TO PROMPTLY RETAIN
AN ATTORNEY. ANY ATTORNEY RETAINED BY CHERYL RUBIN SHALL FILE A
NOTICE OF APPEARANCE BY JANUARY 17, 2025 AND SHALL APPEAR AT THE
TELEPHONIC CONFERENCE SET FOR FEBRUARY 7, 2025 AT NOON. SEE ECF 16 &
MINUTE ENTRY OF NOV. 26, 2024.**

¹ See *Pridgen V. Andresen*, 113 F.3d 391, 393 (2d Cir. 1997)(“ We now hold that an administratrix or executrix of an estate may not proceed pro se when the estate has beneficiaries or creditors other than the litigant.”).

**FAILURE TO COMPLY WITH THIS ORDER WILL RESULT IN
DISMISSAL OF THE ACTION WITH PREJUDICE. THIS MEANS THAT THE LAWSUIT
WILL BE OVER AND THE PLAINTIFF WILL TAKE NOTHING.**

The action is stayed until January 17, 2025, and the stay will expire at 5 p.m. on that date.

The Attorney shall forthwith serve the Client with a copy of this Order this Order and file an affidavit of service within five days of this Order.

Motion to withdraw is GRANTED effective upon the filing of the above-described affidavit of service.

SO ORDERED.



P. Kevin Castel
P. Kevin Castel
United States District Judge

Dated: New York, New York
December 4, 2024